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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,070	07/05/2001	John W. Sims	39786/MEG	2377

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EXAMINER
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LANEAU, RONALD

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

 <b>Office Action Summary</b>	<b>Application No.</b> 09/807,070	<b>Applicant(s)</b> SIMS ET AL.	
	<b>Examiner</b> Ronald Laneau	<b>Art Unit</b> 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11172004</u> . | 6) <input type="checkbox"/> Other: _____  |

***Response to Amendment***

1. The amendment filed on 11/17/04 has been entered. Claims 21-23 are added and claims 1-23 are now pending.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1, 3, 5, 7, 9, 11, 13, 15, 17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al (US 5,926,796) in view of Eleftheriou (US 5,869,826) and further in view of Brooks, Jr et al (US 6,067,530).

Walker et al teach a method of providing a communication interface (col. 7, lines 18-23) for coupling a point-of-sale (P.O.S.) system to a cash management system (col. 6, lines 46-48;

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register) for providing communication between the P.O.S. system and the cash management system (col. 7, lines 30-40). Walker et al do not teach providing software on the cash management system to permit operation of the cash management system over a communication link and providing software on the P.O.S. system to permit control of the cash management system over the internet but Eleftheriou teaches a method wherein providing software on the P.O.S. system to permit control of the cash management system over the communication link (modem or wide- area network) and providing software on the P.O.S. system to permit control of the cash management system over the internet (col. 4, lines 15-26). Neither Walker nor Eleftheriou teaches cash management system as claimed but Brooks teaches a cash management system having cash depositing and cash dispensing function (fig. 2A).

It would have been obvious to one of ordinary skill in the art to utilize the software program as taught by Eleftheriou into the device of Walker et al because it would allow the system to perform the transaction process and therefore fraudulent's access by a user. And it is obvious that the system of Eleftheriou must use same data formats when communicating information between the cash management and the P.O.S. system as claimed because both systems need to have similar format in order to be compatible. And it would have been obvious to one of ordinary skill in the art to utilize the cash management as taught by Books into the combined system of Walker and Eleftheriou because it would eliminate the need for the store manager having to manually verify each cashier and also enable the store manager to spend less time counting money and more time servicing customers.

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Claims 2, 4, 6, 8, 10, 12, 14, 16, 18, and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al (US 5,926,796) in view of Eleftheriou (US 5,869,826) and further in view of Gilbert et al (US 5,953,709) and further further in view of Brooks, Jr et al (US 6,067,530).

Walker et al teach a method of providing a communication interface (col. 7, lines 18-23) for coupling a point-of-sale (P.O.S.) system to a cash management system (col. 6, lines 46-48) for providing communication between the P.O.S. system and the cash management system (col. 7, lines 30-40). Walker et al do not teach providing software on the cash management system to permit operation of the cash management system over a communication link and providing software on the P.O.S. system to permit control of the cash management system over the internet but Eleftheriou teaches a method wherein providing software on the P.O.S. system to permit control of the cash management system over the communication link (modem or wide- area network) and providing software on the P.O.S. system to permit control of the cash management system over the internet (col. 4, lines 15-26). Neither Walker et al nor Eleftheriou teaches providing a graphical user interface on the P.O.S. system to permit control of the cash management system over the communication link but Gilbert et al teach a cash machine system 28 over a communication link (service terminal 22) including providing a graphical user interface (col. 3, lines 16-22, fig. 1). Neither Walker nor Eleftheriou nor Gilbert teaches cash management system as claimed but Brooks teaches cash management system having cash depositing and cash dispensing function (fig. 2A).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the software program as taught by Eleftheriou into the device of Walker et al

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because it would allow the system to perform the transaction process and therefore fraudulent's access by a user. And it would have been obvious to one of ordinary skill in the art at the time the invention was made the user interface system as taught by Gilbert et al into the combined device of Walker et al and Eleftheriou because it would provide a cash-out system for a user accessing the system interface to request cash disbursement via the communication link. And it is obvious that the system of Eleftheriou must use same data formats when communicating information between the cash management and the P.O.S. system as claimed because both systems need to have similar format in order to be compatible. And it would have been obvious to one of ordinary skill in the art to utilize the cash management as taught by Books into the combined system of Walker, Eleftheriou and Gilbert because it would eliminate the need for the store manager having to manually verify each cashier and also enable the store manager to spend less time counting money and more time servicing customers.

#### ***Response to Arguments***

5. Applicant's arguments filed 11/17/04 have been fully considered but they are not persuasive.

Applicant argues that the cited references do not disclose a cash management system having cash depositing and cash dispensing functions. Contrary to applicant's arguments, the newly cited reference discloses a cash management system as claimed by applicant. As far as applicant's arguments about Walker not teaching a cash management, it has been known in the art that an electronic cash register (hereinafter sometimes referred to as "cash register"), generally called as an ECR (Electronic Cash Register), is an apparatus that is placed in a retail

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store or the like and used to electronically register sales and merchandise, that is, to electronically perform processes such as recording the sales of merchandise, calculations, and cash management. Furthermore, applicant argues that Eleftheriou does not provide software on the cash management system but Eleftheriou's system can load software or other data so it is well capable in loading the software needed to make the cash management system disclosed by Walker operate as it should. Applicant's arguments are deemed unpersuasive, claims 1-23 are finally rejected.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (703) 305-3973. The examiner can normally be reached on Mon-Fri from 8:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RL

Ronald Laneau  
Examiner  
Art Unit 3627

*Ronald Laneau 2/19/05*  
*Primary Examiner*

rl